

CHAPTER 6

CONSULTATION AND COORDINATION

During the preparation of this EA, several consultation and coordination activities were conducted with regulatory agencies, tribal entities, and other interested parties. This chapter summarizes the results of those efforts.

6.1 PUBLIC SCOPING MEETING

A public scoping meeting on the proposed action was held at the Durango Arts Center, 802 East Second Avenue, Durango, Colorado on November 14, 2001. Announcements for the public meeting were mailed to landowners, interested individuals on Reclamation's mailing list, agencies, local institutions, and the media. Twenty-two individuals signed in, and a total of approximately 60 individuals attended the public meeting.

The meeting started at 7:36 p.m. with introductions and an overview of the ALP Project and the proposed pipeline relocation. The focus and conclusions of the ALP FSEIS were discussed, and the need for additional environmental work to satisfy the requirements of the FERC and Reclamation were presented. The seven-year construction schedule for the ALP Project was discussed.

The northern and southern route alternatives were also discussed. The meeting was then opened to receive public comments separately on the ALP Project pipeline relocation and the CR 211 relocation. Seven individuals commented on the pipeline relocation, and three individuals commented on the CR 211 relocation. The public meeting was adjourned at 8:40 p.m.

A public comment period was held open until January 14, 2002 to allow the submission of written comments. Fourteen letters, e-mails, and notes were received from the public during this period. These comments, as well as the oral comments received during the public meeting, were considered when the Draft EA was prepared.

6.2 WRITTEN COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT

The Draft EA was distributed on April 26, 2002 to 197 Federal, state and local agencies, Indian Tribes, elected officials, local libraries, landowners and abutters, environmental groups, interested citizens, and the news media. A public comment period of more than 30 days was noticed, with comments requested on the Draft EA by May 28, 2002.

Eleven comments were received, including five from Federal agencies, one from an Indian Tribe, one from a county agency, two from environmental groups, and two from landowners. Issues raised by commentors have been addressed, and changes made in the text of the EA where appropriate. Lines in the margin mark changes to the text of the EA. The comment letters and e-mails are included in this Final EA as Attachment C, along with responses to issues raised.

6.3 LA PLATA COUNTY CR 211 LOCATION STUDY AND PUBLIC MEETING

The relocation of CR 211 is a related action to Reclamation's proposed actions to relocation Northwest and MAPCO's pipelines. The CR 211 relocation is discussed in section 4.1.1. Independent of Reclamation's NEPA process, the La Plata County Engineering Department commissioned Bechtolt Engineering to conduct a location study of CR 211. This location study evaluated three routes for CR 211 and four junction locations with CR 141 (Bechtolt 2002). The County held their own public meeting on

April 17, 2002 in Durango to discuss the CR 211 location study, and to solicit comments from the interested public. A two-week public comment period was established, and a number of comments were received.

The La Plata County Commissioners have not made a recommendation as to a route for CR 211, or for an intersection with CR 141. When a recommendation has been made and forwarded to Reclamation, it will be evaluated in light of other project features and Reclamation will make a determination as to the routing and NEPA compliance, as appropriate.

Copies of the CR 211 location study and comment letters are available from the La Plata County Engineering Department, 1060 Maine Ave, Durango, CO 81301 (970-382-6372).

6.4 NATIVE AMERICAN CONSULTATION

See Section 3.3.1 Cultural Resources for information on the consultation and coordination activities that were conducted for this project.

6.5 FISH AND WILDLIFE SERVICE CONSULTATION AND COORDINATION

On October 5, 2001, the FWS issued a Planning Aid Memorandum (PAM) to Reclamation under the Coordination Act regarding the pipeline relocation project. The PAM was prepared in response to a letter from Reclamation dated July 27, 2001 requesting that the FWS prepare a PAM to compare the impacts of two alternative pipeline routes (the northern and southern routes) for the proposed project. The PAM was used in preparing the Biological Assessment for the pipeline relocation project, attached to this EA as Attachment B.

During pipeline construction on Carbon Mountain, Reclamation would avoid activities within 0.25 mile of an active eagle nest from December through June (see FSEIS, Volume 1, page 5-13 and Volume 3, Appendix 7, the FWS Coordination Act Report), which would avoid affecting nesting golden eagles. The FWS issued a ~~Planning Aid Memorandum~~ (PAM (FWS 2001a) that recommends that pipeline construction should avoid activities within 0.5 mile of an active eagle nest. In a letter dated May 20, 2002, FWS determined that “each of the issues...identified in [their] planning aid memorandum of October 5, 2001, have been addressed.” FWS also agreed with Reclamation’s “not likely to adversely affect” conclusion for each of the federally listed species”, and further that “the northern route is better than the southern alternative.”(FWS 2002)

The FWS PAM identified a 0.5 mile buffer zone for golden eagle nests. FWS later corrected this, and stated that 0.25 mile was an adequate buffer (FWS 2002a). Since no portions of the pipeline relocation corridor are within 0.25 mile of the nest sites on Carbon Mountain, there is little or no potential for impacts. The golden eagle, a species protected under both the MBTA and the BGEPA, is not a federally listed threatened or endangered species. ~~Reclamation would attempt to avoid nesting golden eagles during either preparation of the Carbon Mountain Corridor or during pipeline installation. Since construction of other ALP Project features, such as the Ridges Basin Dam, are within the 0.25 mile buffer zone, Reclamation has applied to the FWS for a permit to take inactive golden eagle nests on Carbon Mountain during construction.~~ Reclamation would avoid directly impacting the three known golden eagle nests on Carbon Mountain.

6.6 FERC COOPERATING AGENCY

FERC is a cooperating agency to Reclamation in the EA. The FERC staff assisted Reclamation by reviewing public comments collected at the November public meeting and during the scoping period, reviewing initial drafts of the Draft EA, conducting a site inspection on May 6, 2002, reviewing comments on the Draft EA, and in providing comments on the Draft EA.